

EXHIBIT V

DECLARATION OF MONICA SARMIENTO

Pursuant to 28 U.S.C. § 1746, I, Monica Sarmiento, declare as follows:

1. I am over 18 years of age and am competent to make this declaration.
2. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
3. I am the Executive Director for the Virginia Coalition for Immigrant Rights (“VACIR”), a 501(c)(3) nonprofit corporation with its principal place of business located in Alexandria, Virginia. VACIR was founded in 2013 as a fiscally sponsored entity of the Virginia Interfaith Center for Public Policy, was later sponsored by Shirlington Employment and Education Center and New Virginia Majority, and became its own 501(c)(3) in 2017. I have led VACIR since 2015, first as State Director and then as Executive Director beginning in 2017.
4. VACIR is a multi-racial and multi-ethnic coalition of member organizations that exists to win dignity, power, and quality of life for all Virginia immigrant and refugee communities. VACIR and its members seek to create a Virginia where all immigrant and refugee communities have full access to family, civic, economic, and social life.
5. VACIR is comprised of 49 standing member organizations, including legal services providers, civil rights groups, and labor unions, which work to support the immigrant community in Virginia through a variety of programs, including by voter education and empowerment programs and programs assisting eligible naturalized citizens with understanding their eligibility and encouraging voter registration and participation in voting.
6. Currently, VACIR standing member organizations are: ACLU People Power – Fairfax; ACLU of Virginia; African Communities Together; American Jewish Committee;

AYUDA; Bread for the World; Centreville Immigration Forum; Church World Service; Coalition of Asian Pacific Americans of Virginia; Congregation Action Network; Cornerstone; Domestic Workers Alliance; Dream Project; Dreamers Mothers In Action; Edu Futuro; EMGAGE; Fuego Coalition; Hamkae Center; Hispanic Organization of Leadership and Action; Jewish Community Relations Council; Just Neighbors; Korean American Association of Northern Virginia; Latina Institute for Reproductive Justice; League of United Latin America Citizens; Legal Aid Justice Center; Multicultural Community Center; Neighbor's Keeper; New Virginia Majority Education Fund; Northern Virginia Affordable Housing Alliance; NoVA Labor; Progress Virginia; Sacred Heart Catholic Community Center; SEIU 512; SEIU 32BJ; Shirlington Employment and Education Center; Sin Barreras; Tenants and Workers United; The Commonwealth Institute for Fiscal Analysis; Unitarian Universalist for Social Justice; United Food and Commercial Workers Local 400; Virginia Civic Engagement Table; Virginia Coalition of Latino Organizations; Virginia Immigration Intercollegiate Alliance; Virginia Interfaith Center for Public Policy; Virginia League of Planned Parenthood; Virginia League of Women Voters; Virginia Organizing; Virginia Poverty Law Center; and Voices for Virginia's Children.

7. VACIR has an annual operating budget of approximately \$455,000. VACIR employs one full-time Executive Director, multiple part-time consultants performing operations, fundraising, and bookkeeping roles, and temporary paid interpreters in a variety of languages. VACIR also accepts significant volunteer contributions from its members in a variety of capacities, including payment of voluntary dues and active service on one of four standing committees.

8. VACIR maintains four standing committees—Local; State; Federal; and Civic Engagement—which aim to focus and translate the collective capacity and weight of VACIR's

members into maximizing our collective impact in making progress for the communities we serve.

9. The Local Committee focuses on supporting progress at the community level. For example, recent initiatives have included organizing immigrant communities around access to affordable housing and preventing evictions.

10. The State Committee engages in state legislative advocacy, including lobbying members of the Virginia General Assembly, focusing on specific issues as voted on by VACIR members based on input from the communities they serve. Recent issue areas have included Medicare expansion for low income children regardless of immigration status, housing, and tenants' rights bills.

11. The Federal Committee is primarily focused on advocacy and oversight of federal immigration detention facilities located in Virginia, for example ensuring detainees are able to exercise their religious freedom.

12. The Civic Engagement Committee organizes trainings for members on developing their own civic engagement programs focused on the communities they serve, including supporting voter outreach and education on the voting-related issues facing immigrant communities, in particular voter eligibility and how to participate, as well as providing re-grants to support those programs. In 2024, VACIR has awarded \$90,100 in re-grants distributed to member organizations operating grassroots voter engagement programs, including \$6,900 in stipends for community civic engagement trainings.

13. In addition to providing support for VACIR member organizations, VACIR works with non-VACIR members working in support of immigrant rights on specific subject matter areas with aligned values.

14. In response to Governor Youngkin's Executive Order 35 and the Purge Program, VACIR has had to upend its normal activities and significantly redirect its limited resources away from its core organizational priorities and toward responding to and mitigating the ongoing harms inflicted upon immigrant communities.

15. After Executive Order 35 was issued on August 7, 2024, VACIR sprung into action, convening multiple meetings with member organizations whose communities include naturalized citizens who are subject to heightened risk of removal due to the Purge Program and who now face intimidation and dissuasion from voting due to the threats of criminal investigation and prosecution laid out in Executive Order 35.

16. VACIR has conducted numerous group trainings and one-on-ones for member organizations about how to best engage with the communities they serve on this issue, and identify eligible voters who may have received a removal notice or been removed from the rolls or who face heightened risk of removal—all in multiple languages and with cultural competency for specific communities. VACIR has also convened and contributed to meetings with community members where we provided multilingual support and assistance in understanding voter eligibility and guidance on how to successfully participate in the November 5, 2024, election despite individuals potentially being flagged for removal by the Purge Program.

17. VACIR has also expended considerable resources investigating the potential impacts of Executive Order 35 and the Purge Program on naturalized citizens through public records requests in an effort to better inform its members and affected communities about how to respond. VACIR sent public records requests to the Department of Elections, Department of Motor Vehicles, Office of the Attorney General, and Office of the Governor on August 20, 2024, and participated in follow-up meetings with the Department of Elections on September 9 and

with the Department of Motor Vehicles on September 20. VACIR advanced \$4,104.90 to the Department of Motor Vehicles on September 11 to cover their office's assessed costs for the review and production of responsive records. VACIR's efforts to obtain public records related to Executive Order 35 and the Purge Program are ongoing and are likely to consume significant additional time and money.

18. Because of the urgent need to divert its limited resources to respond to Executive Order 35 and the Purge Program, VACIR has been severely limited in its ability to advance its core mission in other areas. Since August 7, all of VACIR's civic engagement work has been focused on ensuring that eligible voters who may be subject to removal or intimidation are able to successfully cast their ballot in the November 5 election, at the expense of its usual voter engagement and turnout efforts. Additionally, VACIR and its members have been severely limited in their ability to prepare for the 2025 legislative session, which begins in January 2025, and other critical programs have had to be de-prioritized because of VACIR's need to respond to this urgent threat to voter participation by eligible voters in Virginia's immigrant communities.

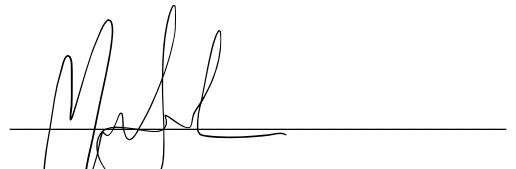
19. VACIR's efforts will not be able to fully mitigate the effects of the Purge Program on naturalized citizens. The Purge Program will inevitably affect those eligible naturalized citizens whom VACIR and its members have helped register or have encouraged to vote, either because that voter has been purged or decides not to vote because of the threat of investigation or prosecution. Thus, the Purge Program will directly interfere with VACIR and its members' efforts to assist eligible voters in participating in the 2024 general election.

20. At the September 9, 2024, meeting with Department of Elections staff and their counsel discussing my and VACIR's August 20 records requests made under the National Voter Registration Act of 1993 and the Virginia Freedom of Information Act, they informed me that

the list of registered voters removed on the basis of alleged non-citizenship was in their possession, but that they would refuse to provide it until 90 days after the date of request. When my counsel present at the meeting asked what was their basis for refusing to provide these records until 90 days after the date of request, Department of Elections staff responded that their understanding was that they were not required to provide these records until 90 days after the date of request under the National Voter Registration Act of 1993.

21. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 15th day of October 2024 in Virginia Beach, VA.



Monica Sarmiento
Executive Director
Virginia Coalition for Immigrant Rights